

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

OSCAR RAMIREZ, JAVIER GUERRERO,
GERONIMO HERCULANO, PABLO RUTILIO,
MAGGIE ANDRES CRECENCIO, GUILLERMO ALVAREZ,
JUANA CRUZ HERNANDEZ, LEONIDAS MATEO,
ANYELI OVALLES HERNANDEZ, MIRNA REYES
MARTINEZ, RAMON ROSARIO, OMAR TAVERAS,
LUIS ESPINAL, JUAN SALMERON, ERASMO DIAZ,
JULIO RODRIGUEZ JACINTO POLANCO, RAUL
GUILLEN ROSA, JOSE DANIEL RAMOS, VICTORIANO
DE OLEO, FRANCISCA PENA, FELIX MANUEL
BAUTISTA and SIMON GRULLON,

Plaintiffs,

-against-

M L RESTAURANT CORP., M.L. SAN JOSE ENTERPRISES,
CORP., d/b/a LIBERATO RESTAURANT, MANUEL
ANTONIO LIBERATO jointly and severally,
Defendants.

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Civil Action No. 14-cv-4030

Civil Action No. 13-cv-7249

**NOTICE OF MOTION
TO STAY THE DEFAULT
PROVISIONS OF THE
SETTLEMENT
AGREEMENT**

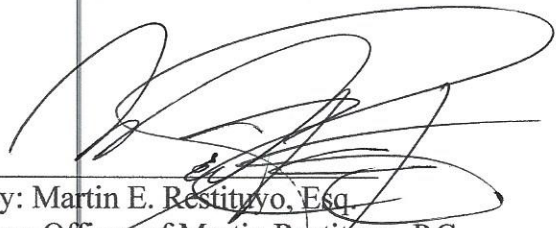
MEMO ENDORSED

**NOTICE OF MOTION TO STAY THE DEFAULT PROVISIONS OF THE SETTLEMENT
AGREEMENT**

PLEASE TAKE NOTICE, that pursuant the Court's Order dated October 7, 2015 [DKT #183]¹, and upon the Affirmation of Martin E. Restituyo, Affidavit of Manuel Liberato, and the Memorandum of Law in Support, Manuel Antonio Liberato, M L Restaurant Corp., and M.L. San Jose Enterprises Corp., will move this Court before the Honorable Valerie Caproni, District Court Judge, for the Southern District of New York, located at 40 Foley Square, New York, NY 10007 on September 25, 2020, or at the earliest date and time available to this Court so that counsel may be heard for an Order granting Defendants' motion to stay the default provisions of the settlement agreement.

¹ In an order dated October 7, 2015, this Court stated that it will retain jurisdiction over this action to enforce the terms of the settlement agreement entered into by the parties in the above-captioned matter on October 6, 2015.

Dated: New York, New York
August 21, 2020



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Attorneys for Plaintiffs

By separate order, the parties are referred to Magistrate Judge Cave for a settlement conference. Defendants inexplicably filed their memorandum of law (Dkt. 233) under seal. No later than **August 25, 2020**, Defendants are directed to file the memorandum publicly.

SO ORDERED.



Date: 08/24/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE